



What's the Difference Between An Access Easement and a Right of Way Easement?

An **access easement** grants to a third party the right to pass on, over or under a certain tract of land.

A **right of way easement** grants the right to enter onto, over or under a property for a specific purpose, such as installing and maintaining utilities. The right of way also grants access over a portion of the property to exercise those rights.

What are the Two Types of Road Maintenance Agreements?

Generally, there are two types of road maintenance agreements.

- 1) A platted PUD subdivision contains private streets, and the road maintenance provisions are almost always found printed on the plat, NOT in the restrictions.
- 2) If owners of several different properties all share a private road for access to their respective property, they can enter into a written agreement for maintenance of the private road (the access easement). If there is no agreement, a lender might request that one be drawn up between the owners, and recorded.

